

# **EXHIBIT 4**

Volume 5

Pages 710 - 945

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable William H. Alsup, Judge

|                    |   |  |
|--------------------|---|--|
| SONOS, INC.,       | ) |  |
|                    | ) |  |
| Plaintiff and      | ) |  |
| Counter-Defendant, | ) |  |
|                    | ) |  |
| VS.                | ) | <b>NO. C 20-6754 WHA</b>               |
|                    | ) | Related Case No. <b>C 21-07559 WHA</b> |
| GOOGLE, LLC,       | ) |  |
|                    | ) |  |
| Defendant and      | ) |  |
| Counter-Claimant.  | ) |  |
| _____              | ) |  |

San Francisco, California

Thursday, May 11, 2023

**TRANSCRIPT OF JURY TRIAL PROCEEDINGS**

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REPORTED BY: Marla F. Knox, CSR No. 14421, RPR, CRR, RMR  
United States District Court - Official Reporter

1 Q. So in between Sonos had hundreds of features that they  
2 released beginning with their Sonos 2005 prior art system. Do  
3 you agree?

4 A. They did. I think that's right.

5 Q. They changed icons. They added more playlists. They  
6 increased the number of songs you can store. They integrated  
7 with different types of services, music services. They  
8 included a voice-activation feature. They did all of these  
9 things and sold hundreds of thousands of speakers for 15 years  
10 without ever having the benefit of these two patents. You  
11 would agree?

12 A. I would agree because there wasn't the hardware capability  
13 needed for implementing these patents until S2 came out.

14 Q. Are you -- we'll get to -- we'll get to the prior art,  
15 Doctor, but you would agree at least Sonos had all of these  
16 features and product models in the market for roughly 15 years  
17 before they decided to put this feature, the patented feature,  
18 into their products. Do you agree?

19 A. No, that's not right. Not all of the devices were  
20 available. In fact, that was the point. Until S2 came out,  
21 there wasn't the hardware and the memory to support the storage  
22 of these zone scenes.

23 Q. But, Doctor, another part of that is interesting to me is  
24 but Google released the accused grouping technology in the 2015  
25 time period; correct?

1     **A.**    That's correct.

2     **Q.**    So Google had its accused technology five years before  
3     Sonos. Are you telling this jury that there was absolutely no  
4     demand for the technology or there was no available computing  
5     components that were available to implement the zone scenes  
6     technology for 15 years? Is that what you're telling this  
7     jury?

8     **A.**    There were about three questions in that.

9     **Q.**    Sorry.

10        Are you telling this jury that computers weren't smart  
11     enough for 15 years to implement the zone scenes technology at  
12     issue in this case?

13     **A.**    No. It was a hardware issue that Sonos had to deal with,  
14     specifically to what would go into their products.

15     **Q.**    So it was a Sonos hardware issue; right?

16     **A.**    It was, to my understanding.

17     **Q.**    Okay. But Google didn't have any hardware issues because  
18     they implemented the accused technology in 2015; correct?

19     **A.**    I can't say that means they had no hardware issues, but my  
20     understanding is they did commercialize it in 2015.

21     **Q.**    There certainly must have been some -- some interest in  
22     the future or some reason why they introduced it in 2015;  
23     correct? Are you telling this jury that the demand for the  
24     zone scenes technology all of the sudden materialized in 2020?

25     **A.**    There were two questions there. If you're asking me about

**ALMEROOTH - REDIRECT / SHEA**

1 scenes would exist, and then it also had to store the  
2 programming instructions to make that happen.

3 And so the point that I was making is, that kind of  
4 capability as part of Sonos' hardware development effort didn't  
5 exist until S2, and so there wasn't really an opportunity to  
6 deploy that kind of functionality until S2, the next  
7 generations of speakers, existed.

8 **Q.** Thank you.

9 So I want to talk a little bit more about the claims and  
10 some of your interpretation of those claims.

11 So maybe we can pull your demonstrative deck back up.

12 **MR. SHEA:** Mr. Jay, can we do that? Great.

13 **BY MR. SHEA:**

14 **Q.** So, first of all, Mr. Pak asked you a number of questions  
15 about this storage idea. Do you remember that, Dr. Almeroth?

16 **A.** Yes, I do.

17 **MR. SHEA:** So, first of all, can we go to Slide 25 of  
18 the demonstrative presentation?

19 **BY MR. SHEA:**

20 **Q.** And, Dr. Almeroth, can you explain for us again, what is  
21 the agreed interpretation of the term "zone scene" as you  
22 currently understand it?

23 **A.** That's a previously saved grouping of zone players  
24 according to a common theme.

25 **Q.** And then can we turn to the 9 -- claim 1 of the '966

CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

DATE: Thursday, May 11, 2023



Marla F. Knox, CSR No. 14421, RPR, CRR, RMR  
United States District Court - Official Reporter